

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:18-cv-00902-TJK**

ELECTRONIC PRIVACY INFORMATION CENTER v.  
INTERNAL REVENUE SERVICE  
Assigned to: Judge Timothy J. Kelly  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 04/17/2018  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**ELECTRONIC PRIVACY  
INFORMATION CENTER**

represented by **John L. Davisson**  
ELECTRONIC PRIVACY  
INFORMATION CENTER  
1718 Connecticut Avenue, NW  
Suite 200  
Washington, DC 20009  
(202) 483-1140 ext. 120  
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**ATTORNEY TO BE NOTICED**

**Marc Rotenberg**  
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V.

**Defendant**

**INTERNAL REVENUE SERVICE**

represented by **Megan Eileen Hoffman-Logsdon**  
U.S. DEPARTMENT OF JUSTICE  
Tax Division  
P.O. Box 227, Ben Franklin Station  
Washington, DC 20044  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Ryan O'Connor McMonagle**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
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04/17/2018	<u>1</u>	COMPLAINT against INTERNAL REVENUE SERVICE ( Filing fee \$ 400 receipt number 0090-5427981) filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons Internal Revenue Service, # <u>3</u> Summons U.S. Attorney, District of Columbia, # <u>4</u> Summons U.S. Attorney General, # <u>5</u> Exhibit Nos. 1-7)(Rotenberg, Marc) (Entered: 04/17/2018)
04/17/2018	<u>2</u>	Corporate Disclosure Statement by ELECTRONIC PRIVACY INFORMATION CENTER. (Rotenberg, Marc) (Entered: 04/17/2018)
04/17/2018		Case Assigned to Judge Timothy J. Kelly. (zmd) (Entered: 04/20/2018)
04/20/2018		SUMMONS Not Issued as to INTERNAL REVENUE SERVICE, U.S. Attorney, U.S. Attorney General. (zmd) (Entered: 04/20/2018)
04/20/2018	<u>3</u>	REQUEST FOR SUMMONS TO ISSUE re <u>1</u> Complaint, filed by ELECTRONIC PRIVACY INFORMATION CENTER. Related document: <u>1</u> Complaint, filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # <u>1</u> Summons U.S. Attorney for the District of Columbia, # <u>2</u> Summons Attorney General of the United States)(Rotenberg, Marc) (Entered: 04/20/2018)
04/23/2018	<u>4</u>	SUMMONS (3) Issued Electronically as to INTERNAL REVENUE SERVICE, U.S. Attorney and U.S. Attorney General (jf) (Entered: 04/23/2018)
05/08/2018	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/24/2018. ( Answer due for ALL FEDERAL DEFENDANTS by 5/24/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 4/30/18., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. INTERNAL REVENUE SERVICE served on 4/30/2018 (Attachments: # <u>1</u> Certificate of Service as to Attorney General, # <u>2</u> Certificate of Service as to Internal Revenue Service)(Butler, Alan) (Entered: 05/08/2018)
05/18/2018	<u>6</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint, <i>or other Responsive Pleading</i> by INTERNAL REVENUE SERVICE (Attachments: # <u>1</u> Text of Proposed Order)(McMonagle, Ryan) (Entered: 05/18/2018)
05/18/2018		MINUTE ORDER: Plaintiff shall file its opposition, if any, to Defendant's <u>6</u> Motion for Extension by May 22, 2018. Signed by Judge Timothy J. Kelly on 5/18/2018. (lctjk3) (Entered: 05/18/2018)
05/18/2018	<u>7</u>	Memorandum in opposition to re <u>6</u> MOTION for Extension of Time to File Answer re <u>1</u> Complaint, <i>or other Responsive Pleading</i> filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # <u>1</u> Text of Proposed Order)(Rotenberg, Marc) (Entered: 05/18/2018)
05/21/2018	<u>8</u>	NOTICE of Appearance by Megan Eileen Hoffman-Logsdon on behalf of INTERNAL REVENUE SERVICE (Hoffman-Logsdon, Megan) (Entered: 05/21/2018)
05/21/2018		MINUTE ORDER granting in part Defendant's <u>6</u> Motion to Enlarge Time to Answer. It is hereby ORDERED, for good cause shown, that Defendant shall file its response to Plaintiff's complaint by June 15, 2018. Signed by Judge Timothy J. Kelly on 5/21/2018. (lctjk3) (Entered: 05/21/2018)
06/15/2018	<u>9</u>	WITHDRAWN PURSUANT TO DOCKET ENTRY NO. <u>18</u> . . . . MOTION to Dismiss by INTERNAL REVENUE SERVICE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(McMonagle, Ryan) Modified on 2/13/2019 (ztd). (Entered: 06/15/2018)
06/29/2018	<u>10</u>	Memorandum in opposition to re <u>9</u> MOTION to Dismiss filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # <u>1</u> Text of Proposed Order)(Rotenberg, Marc) (Entered: 06/29/2018)
07/03/2018	<u>11</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>9</u> MOTION to Dismiss by INTERNAL REVENUE SERVICE (Attachments: # <u>1</u> Text of Proposed Order)(McMonagle, Ryan) (Entered: 07/03/2018)

07/03/2018		MINUTE ORDER granting Defendant's <u>11</u> Motion to Extend Time. It is hereby ORDERED that Defendant shall file its reply in support of its <u>2</u> Motion to Dismiss by July 10, 2018. Signed by Judge Timothy J. Kelly on 7/3/2018. (lctjk3) (Entered: 07/03/2018)
07/10/2018	<u>12</u>	REPLY to opposition to motion re <u>2</u> MOTION to Dismiss filed by INTERNAL REVENUE SERVICE. (McMonagle, Ryan) (Entered: 07/10/2018)
07/12/2018	<u>13</u>	MOTION for Leave to File by ELECTRONIC PRIVACY INFORMATION CENTER (Attachments: # <u>1</u> Exhibit Proposed Surreply, # <u>2</u> Text of Proposed Order)(Rotenberg, Marc) (Entered: 07/12/2018)
07/12/2018	<u>14</u>	Memorandum in opposition to re <u>13</u> MOTION for Leave to File filed by INTERNAL REVENUE SERVICE. (Attachments: # <u>1</u> Text of Proposed Order)(McMonagle, Ryan) (Entered: 07/12/2018)
12/19/2018	<u>15</u>	NOTICE of Appearance by John L. Davisson on behalf of ELECTRONIC PRIVACY INFORMATION CENTER (Davisson, John) (Entered: 12/19/2018)
12/19/2018	<u>16</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by ELECTRONIC PRIVACY INFORMATION CENTER (Attachments: # <u>1</u> Exhibit)(Davisson, John) (Entered: 12/19/2018)
12/21/2018		MINUTE ORDER: It is hereby ORDERED that Defendant shall file a submission in response to Plaintiff's <u>16</u> Notice of Supplemental Authority setting forth Defendant's position on the impact of the D.C. Circuit's decision in <i>Electronic Privacy Information Center v. Internal Revenue Service</i> , 17–5225 (Dec. 18, 2018), on the instant case by January 10, 2019. Signed by Judge Timothy J. Kelly on 12/21/2018. (lctjk3) (Entered: 12/21/2018)
12/26/2018	<u>17</u>	MOTION to Stay by INTERNAL REVENUE SERVICE (Hoffman–Logsdon, Megan) (Entered: 12/26/2018)
12/28/2018		MINUTE ORDER: It is hereby ORDERED that Defendant shall file its submission in response to Plaintiff's <u>16</u> Notice of Supplemental Authority by February 11, 2019. Signed by Judge Timothy J. Kelly on 12/28/2018. (lctjk3) (Entered: 12/28/2018)
01/28/2019		MINUTE ORDER denying Defendant's <u>17</u> Motion to Stay. Given the restoration of funding to the Department of Justice, it is hereby ORDERED that Defendant's motion to stay the case is DENIED AS MOOT. Signed by Judge Timothy J. Kelly on 1/28/2019. (lctjk3) (Entered: 01/28/2019)
02/11/2019	<u>18</u>	NOTICE OF WITHDRAWAL OF MOTION by INTERNAL REVENUE SERVICE re <u>2</u> MOTION to Dismiss , Order, Set Deadlines, Order., Set Deadlines, and Notice of Intent to Refile Within Twenty–One Days (Hoffman–Logsdon, Megan) (Entered: 02/11/2019)
02/11/2019		MINUTE ORDER: In light of Defendant's <u>18</u> Notice of Withdrawal of its <u>2</u> Motion to Dismiss, it is hereby ORDERED that Plaintiff's <u>13</u> Motion for Leave to File a Surreply in Opposition to Defendant's Motion to Dismiss is DENIED AS MOOT. Signed by Judge Timothy J. Kelly on 2/11/2019. (lctjk3) (Entered: 02/11/2019)
02/13/2019	<u>19</u>	STATUS REPORT AND MOTION TO ADOPT A SCHEDULE FOR FURTHER PROCEEDINGS by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # <u>1</u> Text of Proposed Order)(Davisson, John) (Entered: 02/13/2019)
02/14/2019		MINUTE ORDER: In light of the representations in Defendant's <u>18</u> Notice of Withdrawal, it is hereby ORDERED that Defendant shall file any revised motion to dismiss Plaintiff's <u>1</u> Complaint by March 4, 2019. Signed by Judge Timothy J. Kelly on 2/14/2019. (lctjk3) (Entered: 02/14/2019)